

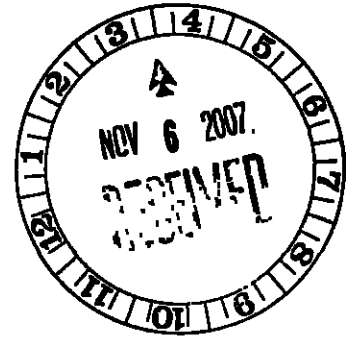
**WEINER
BRODSKY
SIDMAN
KIDER PC**

220649

FEE RECEIVED

NOV 06 2007

**SURFACE
TRANSPORTATION BOARD**



November 6, 2007

VIA HAND

FILED

NOV 06 2007

**SURFACE
TRANSPORTATION BOARD**

Honorable Vernon A Williams
Secretary
Surface Transportation Board
395 E Street, S W
Washington, DC 20423-0001

RE Docket No AB-591X, Laurinburg & Southern Railroad Co, Inc - Discontinuance
of Service Exemption - Hoke and Scotland Counties, North Carolina

Dear Secretary Williams.

Enclosed for filing in the above-referenced proceeding are an original and 10 copies of the Verified Notice of Exemption of Laurinburg & Southern Railroad Co, Inc., pursuant to 49 C.F.R. § 1152.50. Also enclosed is our check in the amount of \$3,200 to cover the filing fee for this proceeding.

Please acknowledge receipt of this letter by date-stamping the enclosed acknowledgment copy and returning it to our messenger.

Very truly yours,

Rose-Michele Nardi

ENTERED
Office of Proceedings

NOV 06 2007

Part of
Public Record

Enclosures



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

NOTICE OF EXEMPTION

**LAURINBURG & SOUTHERN
RAILROAD CO., INC.**

By its attorneys:

**Rose-Michele Nardi
Weiner Brodsky Sidman Kider PC
1300 19th Street, N.W.
Fifth Floor
Washington, D.C. 20036-1609
(202) 628-2000**

Dated: November 6, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

NOTICE OF EXEMPTION

Pursuant to the Surface Transportation Board's (the "Board's") regulations at 49 CFR § 1152.50, Laurinburg & Southern Railroad Co., Inc. ("LRS") files this Notice of Exemption ("Notice") from the prior approval requirements of 49 U.S.C. § 10903, for the discontinuance of service of approximately 17.3 miles of a rail line located in Hoke and Scotland Counties, North Carolina (the "Subject Line"). The Subject Line runs approximately from milepost 8.9 (near the east side of McFarland Road at or near Laurinburg, NC) to milepost 26.2 at the point of interchange with Aberdeen & Rockfish Railroad Company (at or near Raeford, NC). A map of the Subject Line is attached hereto as **Exhibit A**. LRS is filing a discontinuance rather than an abandonment because it intends to keep the rail line in place, and a discontinuance would facilitate any future use of the line for car storage or other rail purposes.

In accordance with the Board's regulations at 49 CFR § 1152.50(d), LRS provides the following:

1. *Proposed Consummation Date*

The discontinuance of service by LRS of the Subject Line is expected to be consummated on or after December 26, 2007.

2. *Certification Required in 49 CFR § 1152.50(b)*

The required certification is attached hereto as **Exhibit B** to this Notice.

3 *Information Required in 49 CFR §1152.22 (a)(1) - (4), (7) and (8), and e(4)*

(a)(1) *Name of Applicant*

Laurinburg & Southern Railroad Co., Inc

(a)(2) *Common Carrier Status*

**LRS is a class III common carrier by railroad, subject to 49 U.S.C.
Subtitle IV, chapter 105**

(a)(3) *Relief Sought*

**LRS seeks exemption from the Board's regulations to discontinue service over the
Subject Line**

(a)(4) *Map of Subject Line*

**A map showing the location of the Subject Line is attached hereto as
Exhibit A.**

(a)(7) *Representative of Applicant*

**Rose-Michele Nardi
Weiner Brodsky Sidman Kider PC
1300 19th Street, NW
Fifth Floor
Washington, D.C. 20036-1609
(202) 628-2000**

(a)(8) *Postal Service Zip Codes.*

**The Subject Line runs through United States Postal ZIP Codes 28352, 28353, 28376,
28396 and 27812**

(e)(4) *Suitability for Public Purposes and Restrictions on Title*

**LRS is seeking only to discontinue service over the Subject Line and not to abandon it.
Accordingly, information concerning trail use/rail banking or public use condition
requests is not relevant to this Notice. See e.g., STB AB-290 (SUB 292X), *Norfolk
Southern Railway Company – Discontinuance Exemption – In Mahoning County, OH*,
served March 15, 2007 (noting that “[b]ecause this is a discontinuance proceeding and
not an abandonment, trail use/rail banking and public use conditions are not
appropriate”); STB AB-297 (SUB – 103X), *Columbus and Greenville Railway Company
– Discontinuance of Service Exemption—In Greenwood, MS*, served July 3, 2007 (same)**

Similarly, because this is a discontinuance and not an abandonment, restrictions on the transfer of title or the use of the property for non-rail purposes are not relevant to this proceeding. The property will remain under the Board's jurisdiction (and will not be subject to the Board's offer of financial assistance procedures to purchase the line) until LRS seeks and is granted abandonment authority. See Docket No. AB-433 (Sub-No. 2X), *Idaho Northern & Pacific Railroad Company – Abandonment and Discontinuance Exemption – In Washington and Adams Counties, ID*, served November 14, 1996 (noting that "the Board does not lose jurisdiction over the underlying right-of-way unless the railroad's action is to fully abandon the line, as opposed to exercising the lesser included authority to discontinue service over the line"), STB AB-33 (SUB-209), *Union Pacific Railroad Company – Discontinuance – In Utah County, Utah*, served October 4, 2007 (noting that "only offers of financial assistance (OFA) under 49 U.S.C. 10904 to subsidize (not purchase) the line will be entertained")

Based on information in LRS's possession, the line does not contain federally granted rights-of-way. Any documentation in LRS's possession will be made available promptly to those requesting it.

4 Labor Protection

This class exemption does not relieve LRS of its obligation to protect the interests of its employees. LRS anticipates that the Board will impose the conditions set forth in *Oregon Short Line R Co – Abandonment – Goshen Branch*, 360 I C C 91 (1979), for the benefit of any carrier employee who may be adversely affected by the proposed discontinuance.

5 Environmental and Historic Report

LRS has not performed any local rail operations over the Subject Line for at least two years and all overhead traffic has been rerouted over another rail line since approximately March 31, 2007. Accordingly, the discontinuance of rail service will not cause any of the thresholds identified in 49 C F R § 1105.7(e)(4) or (e)(5) to be exceeded.

LRS is seeking only to discontinue service over the Subject Line, not abandon it. Accordingly, this proceeding is exempt from environmental and historic reporting requirements. See STB AB-290 (SUB 292X), *Norfolk Southern Railway Company – Discontinuance Exemption – In Mahoning County, OH*, served March 15, 2007 (noting that "[b]ecause this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate," and noting that "[l]ikewise, no environmental or historical documentation is required here"), STB AB-297 (SUB – 103X), *Columbus and Greenville Railway Company – Discontinuance of Service Exemption—In Greenwood, MS*, served July 3, 2007 (same).

6. Notice Requirements

A Certification of Publication is attached as **Exhibit C**.¹ Pursuant to 49 C.F.R. § 1152.50(d)(1), on September 13, 2007, LRS sent a notice of the proposed abandonment to the required federal and state agencies. A sample of that letter is attached hereto as **Exhibit D**. In response to that letter, LSR received two correspondence from the North Carolina Department of Administration, dated September 20, 2007 and October 22, 2007. These two letters are attached as **Exhibit E**.² A Certificate of Service regarding the September 13, 2007, letter is attached hereto as **Exhibit F**, and a Certificate of Service regarding this Notice is attached hereto as **Exhibit G**.

Respectfully submitted,



Rose-Michele Nardi
Weiner Brodsky Sidman Kider PC
1300 19th Street, NW, Fifth Floor
Washington, D.C. 20036-1609
(202) 628-2000

Attorneys for
Laurinburg & Southern Railroad Co., Inc

Dated: November 6, 2007

¹ In the newspaper notice, the milepost of the subject line located at or near Laurinburg was identified as milepost 8 7, rather than milepost 8 9 (resulting in a 17 5-mile subject line, rather than a 17 3-mile line). However, the public has not been prejudiced by this change in milepost, as the public was alerted to a proposed discontinuance that covered *more*, not less rail line.

² The permits identified in the North Carolina Department of Administration correspondence are those "that may be required prior to project construction." Accordingly, this correspondence appears to contemplate railroad salvage activities related to an abandonment of rail line, rather than merely a discontinuance of rail service.

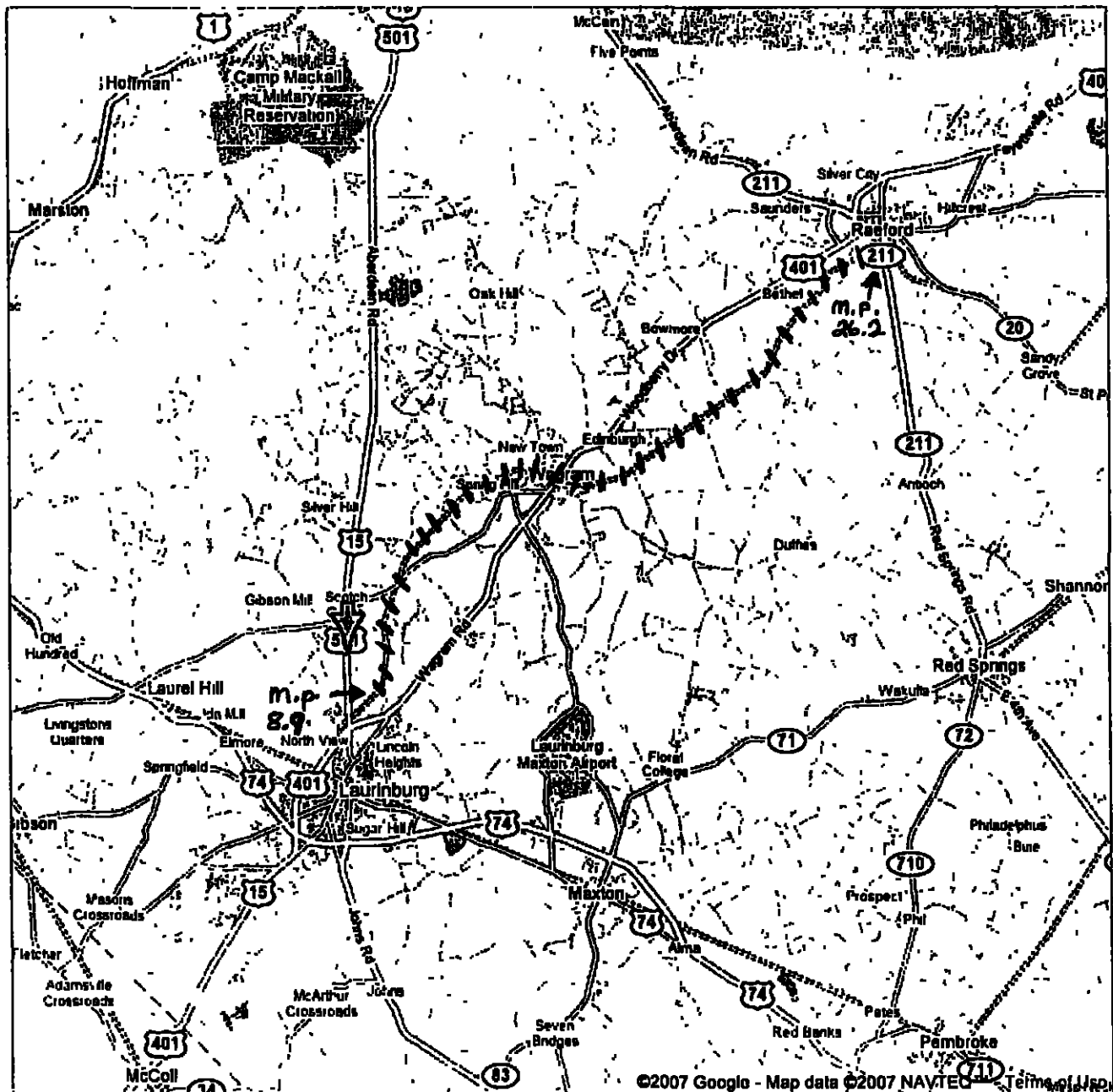
**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT A

MAP OF SUBJECT LINE



©2007 Google - Map data ©2007 NAVTEQ Terms of Use

SUBJECT LINE ++++++

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
– DISCONTINUANCE OF SERVICE EXEMPTION –
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT B

CERTIFICATION REQUIRED BY 49 CFR § 1152.50(b)

CERTIFICATION REQUIRED BY 49 CFR § 1152.50(b)

Pursuant to 49 CFR § 1152.50(b), I, Ronald E McKenzie, President of Laurinburg & Southern Railroad Co., Inc , hereby certify that, with respect to the rail line subject to this Notice of Exemption in Docket No AB-591X (1) no local traffic has moved over the line for at least two years prior to the date hereof, (2) overhead traffic, if any, can be or already has been rerouted over other lines, and (3) no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U S. District Court or has been decided in favor of the complainant within the two-year period preceding the date hereof. The foregoing certification is made on behalf of Laurinburg & Southern Railroad Co , Inc and is based upon the knowledge, information and belief of the undersigned


Ronald E McKenzie

Dated: November 6, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

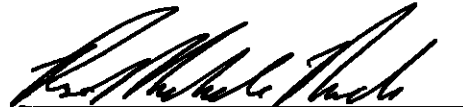
**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT C

CERTIFICATE OF PUBLICATION

CERTIFICATE OF PUBLICATION

Based on the attached affidavits, I hereby certify to the following: A newspaper notice alerting the public to the proposed discontinuance of service over the Subject Line was published on September 19, 2007, in The Laurinburg Exchange and in The News Journal. The affidavits of publication are attached hereto as Attachment 1

A handwritten signature in black ink, appearing to read "Rose-Michele Nardi", written over a horizontal line.

Rose-Michele Nardi

ATTACHMENT 1
AFFIDAVITS OF PUBLICATION

**NOTICE OF INTENT
TO DISCONTINUE
RAIL SERVICE**

Laurinburg & Southern Railroad Co., Inc gives notice that on or about September 26, 2007, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423-0001, a notice of exemption under 49 CFR 1152 Subpart F - Exempt Abandonments and Discontinuances of Service - permitting the discontinuance of service on an approximately 17.5-mile line of railroad extending approximately from milepost 87 (at or near Laurinburg, NC) to milepost 262 at the point of interchange with Aberdeen & Rockfish Railroad Company (at or near Raeford, NC). The line to be discontinued traverses through United States Postal Service ZIP Codes 28352, 28353, 28376, 28396 and 27812 in Holke and Scotland Counties, North Carolina and includes the station at Wagram, NC and the station at Raeford, NC. The proceeding will be docketed as No AB-591X.

Interested persons may make inquiries regarding environmental matters by writing to the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001 or by calling SEA at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions or rail banking/trail use also can be filed with the Board. However, because this is a discontinuance of service proceeding and not an abandonment proceeding, requests for trail use/rail banking or public use conditions are not appropriate. Likewise, no environmental or historical documentation is required under 49 C.F.R. § 1105.6(c) and § 1105.8(b), respectively.

An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance, trail use/rail banking and public use) must be filed directly with the Board's Office of the Secretary, 395 E. Street, S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, trail use/rail banking or public use conditions may be directed to the Board's Office of Congressional and Public Services at (202) 245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative Rose-Michele Nardi, Weiner Brodsky Sidman Kider PC, 1300 19th Street, NW, Fifth Floor, Washington, D.C. 20036-1609.

NORTH CAROLINA - HOFF COUNTY

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared Ken MacDonald who being first duly sworn, deposes and says that he is General Manager of Dickson Press, Inc., engaged in the publication of a newspaper known as THE NEWS-JOURNAL, published, issued, and entered as second class mail in the City of Raeford, in said County and State, that he is authorized to make this affidavit and sworn statement, that the notice, legal advertisement or other advertisement, a true copy of which is attached hereto, was published in THE NEWS-JOURNAL on the following dates

September 19, 2007

and that said newspaper in which such notice, paper, document or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 22nd day of SEPTEMBER, 2007

Ken MacDonald General Manager

Sworn to and subscribed before me, this 25th day of

SEPTEMBER, 2007

My Commission expires MARCH 27, 2008

Teena A. Jones

Notary

NOTICE OF
INTENT TO
DISCONTINUE
RAIL SERVICE
Laurinburg & Scotland
Railroad Company gives notice that
on or about September 19, 2007, it
intends to file with the
Surface Transportation
Board (Board), Washington,
DC 20423-0001, a notice of exten-
sion under 49 CFR
1152 Subpart F, Ex-
tension, Abandonments
and Discontinuances
of Service, permit-
ting the discontinu-
ance of service on an
approximately 17.5
mile line of railroad
extending approxi-
mately from mile-
post 8.77 (at or near
Laurinburg, NC) to
milepost 26.21 at the
point of interchange
with Aberdeen &
Rock Hill Railroad
Company (at or near
Ridgford, NC). The
line to be discontin-
ued is for verses
through mail service
State Postal Service
ZIP Codes 28352,
28353, 28376, 28396,
and 27812 in Hoke
and Scotland Coun-
ties, North Carolina,
and includes the sta-
tion at Wagram, NC,
and the station at
Ridgford, NC. The
proceeding will be
docketed as No. AB-
591X.
Interested persons
may make inquiries
regarding environ-
mental matters by
writing to the Sec-
tion of Environmen-
tal Analysis
(SEEA), Surface
Transportation
Board, 395 E Street,
S.W., Washington,
DC 20423-0001 or
by calling SEEA at
(202) 245-0295.

Laurinburg, North Carolina

THE LAURINBURG EXCHANGE

PUBLISHED MONDAY THROUGH FRIDAY

LAURINBURG, NORTH CAROLINA 28353-0459

ESTABLISHED 1882

P. O. BOX 459

Rose-Michele Nardi
Weiner Brodsky Sidman Kider PC
1300 Nineteenth St, NW, Suite 500
Washington, DC 20036-1609

AFFIDAVIT OF PUBLICATION

NORTH CAROLINA
SCOTLAND COUNTY

Jane L. Hinson being duly sworn, deposes and says that
he/she is Bookkeeper of THE LAURINBURG EXCHANGE,
a daily newspaper published at Laurinburg in the State of North Carolina and
county of Scotland, and that the advertisement:
Notice of intent to discontinue Rail Service

_____ , a true copy of
which is annexed hereto, was published in THE LAURINBURG EXCHANGE in
the following issues:

September 19, 2007

Jane L. Hinson

Sworn to and subscribed before me this

19th day of September 2007.

Clyde E. Marsh

Notary Public

My Commission Expires May 7, 2010

Applicants for financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions or rail banking/rail use also can be filed with the Board. However, because this is a discontinuance or service proceeding and not an abandonment proceeding, requests for rail use/rail banking or public use conditions are not appropriate. Likewise, no environmental or historical documentation is required under 49 CFR 1105.6(c) and 1105.8(b) respectively.

An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance, rail use/rail banking and public use) must be filed directly with the Board's Office of the Secretary, 195 R Street, S.W., Washington, D.C. 20023-0001. (See 49 CFR 1104.1(a) and

1104.3(a)) and one copy must be served on applicant's representative. (See 49 CFR 1104.13(a)). Questions regarding offers of financial assistance, rail use/rail banking or public use conditions may be directed to the Board's Office of Congressional and Public Services at (202) 245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative. Rose Michele Nardi, Weiner Brodsky Sidman Kider PC, 1300 19th Street, N.W., Fifth Floor, Washington, D.C. 20036-1609. Publication Date: September 19, 2007.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT D

SAMPLE SEPTEMBER 13, 2007, LETTER

WEINER BRODSKY SIDMAN KIDER PC

1300 19TH STREET, NW
FIFTH FLOOR
WASHINGTON DC 20036-1609
TEL 202 628 2000
FAX 202 628 2011
FEDERAL TAX ID 52-1779483

September 13, 2007

BY FIRST-CLASS MAIL

MTMC-TEA
Railroads for National Defense Program
Attn: Robert Korpanty
720 Thimble Shoals Boulevard
Suite 130
Newport News, VA 23606-2574

Re: STB Docket No. AB-591X, *Laurinburg & Southern Railroad Co , Inc –
Discontinuance of Service Exemption – Hoke and Scotland Counties, ND*

Dear Mr Korpanty:

Laurinburg & Southern Railroad Co., Inc. hereby gives notice that it intends to file a notice of exemption with the Surface Transportation Board on or about September 26, 2007, to discontinue rail service over approximately 17.5 miles of a rail line located in Hoke and Scotland Counties, North Carolina (the "Subject Line"). See 49 C.F.R. § 1152.50 (exempt abandonments and discontinuances of service and trackage rights). The Subject Line runs approximately from milepost 8.7 (at or near Laurinburg, NC) to milepost 26.2 at the point of interchange with Aberdeen & Rockfish Railroad Company (at or near Raeford, NC), and runs through United States Postal ZIP Codes 28352, 28353, 28376, 28396 and 27812. The Subject Line includes the station at Wagram, NC and the station at Raeford, NC.

Based on information in the railroad's possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Rose-Michele Nardi

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
– DISCONTINUANCE OF SERVICE EXEMPTION –
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT E

**RESPONSE TO
SEPTEMBER 13, 2007, LETTER**



North Carolina
Department of Administration

Michael F. Easley, Governor

Britt Cobb, Secretary

September 20, 2007

Ms Rose-Michele Nardi
Southern Railroad Company, Inc
c/o Weiner Brodsky Sidman Kider PC
1300 19th Street, NW
Fifth Floor
Washington DC 20036

Dear Ms Nardi

Subject Environmental Review - Discontinue rail service over 17.5 miles of a rail line, line runs from milepost 8.7 (@ or near Laurinburg) to milepost 26.2 STB Docket No AB-591X

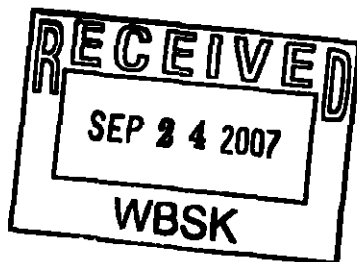
The N C State Clearinghouse has received the above project for intergovernmental review. This project has been assigned State Application Number 08-E-0000-0089. Please use this number with all inquiries or correspondence with this office.

Review of this project should be completed on or before 10/20/2007. Should you have any questions, please call (919)807-2425.

Sincerely,

A handwritten signature in cursive script that reads "Chrys Baggett".

Ms Chrys Baggett
Environmental Policy Act Coordinator



Mailing Address
1301 Mail Service Center
Raleigh NC 27699-1301

Telephone (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail Chrys.Baggett@ncmail.net

Location Address
116 West Jones Street
Raleigh North Carolina



North Carolina Department of Administration

Michael F. Easley, Governor

Britt Cobb, Secretary

October 22, 2007

Ms. Rose-Michele Nardi
Southern Railroad Company, Inc
c/o Weiner Brodsky Sidman Kide PC
1300 19th Street, NW
Fifth Floor
Washington, DC 20036

Dear Ms. Nardi

Re SCH File # 08-E-0000-0089, Discontinue rail service over 17.5 miles of a rail line, line runs from milepost 8.7 (@ or near Laurinburg) to milepost 26.2. STB Docket No. AB-591X

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

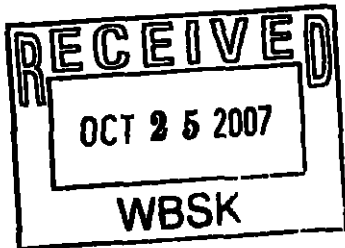
Should you have any questions, please do not hesitate to call.

Sincerely,

Ms. Chrys Baggett
Environmental Policy Act Coordinator

Attachments

cc: Region N



Mailing Address
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone (919) 807-2425
Fax (919) 733-9571
State Courier #51-01-00
e-mail Chrys.Baggett@ncmail.net

Location Address
116 West Jones Street
Raleigh, North Carolina



08-0089

North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

MEMORANDUM

TO: Chrys Baggett
State Clearinghouse

FROM: Melba McGee *MM*
Environmental Review Coordinator

The Department of Environment and Natural Resources has completed its review. Our regional office within the geographic area of the proposed projects has identified permits that may be required prior to project construction. For more information, the project applicant should notify the respective regional office marked on the back of the attached permit form.

Thank you for the opportunity to review.

Attachments

State of North Carolina
Department of Environment and Natural Resources

Receiving Office Jaytenville, NC

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Project Number 08-0089 Due Date 10-15-07

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for that project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines for these permits are available from the same Regional Office.

PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (not days time limit)
Permit to construct & operate wastewater treatment facility or sewer system extensions & sewer systems not discharging into state surface waters	Application 90 days before begin construction or award of construction contract. On site inspection. Post-application technical conference usual.	30 days (90 days)
NPDES permit to discharge into surface water or to allow permit to operate and construct wastewater facilities discharging into state surface waters	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally obtain permit to construct wastewater treatment facility granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit whichever is later.	90-120 days (N/A)
Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well	7 days (15 days)
Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On site inspection. Pre application conference usual. Filling into require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
Permit to construct & operate Air Pollution abatement facility and/or Emission Sources as per 15 A NCAC (20 0100 thru 20 0200)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (20 0113)	90 days
Permit to construct & operate Transportation Facility as per 15 A NCAC (20 0800 20 0901)	Application must be submitted at least 90 days prior to construction or modification of the source	90 days
Any open burning associated with subject proposal must be in compliance with 15 A NCAC 20 1900	N/A	60 days (90 days)
Any demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20 1110 (a)(1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950		
Complex Source Permit required under 15 A NCAC 20 0800	N/A	60 days (90 days)
The National Pollution Control Act of 1971 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section). At least 30 days before beginning activity. A fee of \$250 for the first acre or any part of an acre. An express review option is available with additional fees. <u>\$65.00</u>		
Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets		(30 days)
Mining Permit	On site inspection usual. Surety bond filed with ENR. Bond amount varies with type mine and number of acres of affected land. Any are mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
North Carolina Burning permit	On site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
Special Ground Clearance Burning Permit - 22 hours in coastal N.C. with organic soils	On site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
Oil Refining Facilities	N/A	90-120 days (N/A)
Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to prepare plans, inspect construction certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)

PERMITS			SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Processing Time (Standard Permit)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File survey bond of \$5,000 with ENR running to State of NC core transfer station, well opened by drill operator shall, upon abandonment be plugged according to ENR rules and regulations		10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit Application by letter. No standard application form		10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fees based on structure size is charged. Must include description & drawings of structure & proof of ownership of riparian property		14 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	N/A		60 days (150 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application		55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$40.00 fee must accompany application		22 days (25 days)
Several geologic monuments are located in or near the project area. If any monument needs to be moved or destroyed please notify: NC Geologic Survey, Box 27667 Raleigh, NC 27611				
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C, 0100			
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation			
<input type="checkbox"/>	Compliance with 15A NC AC 211.1000 (Coastal Stormwater Rules) is required			
<input type="checkbox"/>	Turf Patches or Neuse Riparian Buffer Rules required			
• Other comments (attach additional pages as necessary, being certain to cite comment authority)				

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below

☐ **Asheville Regional Office**
2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500

☐ **Mooreville Regional Office**
610 East Center Avenue, Suite 301
Mooreville, NC 28115
(704) 663-1699

☐ **Wilmington Regional Office**
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

☐ **Fayetteville Regional Office**
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300

☐ **Raleigh Regional Office**
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200

☐ **Winston-Salem Regional Office**
585 Woughtown Street
Winston-Salem, NC 27107
(336) 771-5000

☐ **Washington Regional Office**
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT F

**CERTIFICATE OF SERVICE
FOR SEPTEMBER 13, 2007, LETTER**

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2007, notice of the proposed discontinuance of service was served by first-class mail, postage prepaid on the following parties:

North Carolina Department of Administration
State Clearinghouse
Attn: Chrys Baggett, Director
1301 Mail Service Center
Raleigh, NC 27699-1301

MTMC-TEA
Railroads for National Defense Program
Attn: Robert Korpanty
720 Thimble Shoals Boulevard
Suite 130
Newport News, VA 23606-2574

Department of Interior
National Park Service
Conservation and Outdoor Recreation
Attn: Sherry Espersen
1849 C Street, NW
ORG Code 2220
Washington, D.C. 20240

Department of Interior
National Park Service
Land Resource Division
Attn: Bill Shaddox
1849 C Street, NW
Washington, D.C. 20240

USDA Natural Resources
Conservation Service
Attn: Michael J. Hinton
4405 Bland Road
Suite 205
Raleigh, NC 27609

U.S. Department of Agriculture
Attn: Abigail Kimbell, Chief of Forest
Service
201 14th Street, S.W.
Room 4 North West
Washington, D.C. 20090

National Park Service
Southeast Region
Attn: Regional Director
100 Alabama St., SW
1924 Building
Atlanta, GA 30303

North Carolina Department of Transportation
Rail Division
Attn: David Foster, PE
Rail Environmental Program Manager
1553 Mail Service Center
Raleigh, NC 27699

North Carolina Utilities
Commission
4325 Mail Service Center
Raleigh, NC 27699-4325


Rose-Michele Nardi

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-591X

**LAURINBURG & SOUTHERN RAILROAD CO., INC.
– DISCONTINUANCE OF SERVICE EXEMPTION –
HOKE AND SCOTLAND COUNTIES, NORTH CAROLINA**

EXHIBIT G

**CERTIFICATE OF SERVICE
FOR NOTICE OF EXEMPTION**

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2007, the foregoing Notice of Exemption are being served by first-class mail, postage prepaid on the following parties

North Carolina Department of Administration
State Clearinghouse
Attn Chrys Baggett, Director
1301 Mail Service Center
Raleigh, NC 27699-1301

MTMC-TEA
Railroads for National Defense Program
Attn Robert Korpany
720 Thimble Shoals Boulevard
Suite 130
Newport News, VA 23606-2574

Department of Interior
National Park Service
Conservation and Outdoor Recreation
Attn Sherry Espersen
1849 C Street, NW
ORG Code 2220
Washington, D C 20240

Department of Interior
National Park Service
Land Resource Division
Attn Bill Shaddox
1849 C Street, NW
Washington, D.C. 20240

USDA Natural Resources
Conservation Service
Attn Michael J Hinton
4405 Bland Road
Suite 205
Raleigh, NC 27609

U S Department of Agriculture
Attn: Abigail Kimbell, Chief of Forest
Service
201 14th Street, S W
Room 4 North West
Washington, D C 20090

National Park Service
Southeast Region
Attn Regional Director
100 Alabama St , SW
1924 Building
Atlanta, GA 30303

North Carolina Department of Transportation
Rail Division
Attn David Foster, PE
Rail Environmental Program Manager
1553 Mail Service Center
Raleigh, NC 27699

North Carolina Utilities
Commission
4325 Mail Service Center
Raleigh, NC 27699-4325



Rose-Michele Nardi

VERIFICATION

I, Ronald E McKenzie, declare and verify under penalty of perjury that the foregoing Notice of Exemption is true and correct to the best of my knowledge, information and belief Further, I certify that I am qualified and authorized to file this Verification


Ronald E. McKenzie

Dated: November 6, 2007